

CHOATE LAW FIRM LLC

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT JUNEAU**

MYRNA I. JOHNSON,

Plaintiff,

vs.

FRED MEYER STORES, INC.,

Defendant.

Case No. J-04-008 CV (RRB)

AFFIDAVIT OF COUNSEL IN SUPPORT OF MOTION FOR ATTORNEY'S FEES

STATE OF ALASKA

FIRST JUDICIAL DISTRICT

) ss.

I, MARK CHOATE, being first duly sworn on oath, deposes and states the following:

1. I am an adult, am competent to give testimony, and have personal knowledge to the facts set forth herein.

2. I am counsel for the Plaintiff in this matter and make this Affidavit in Support of Plaintiff's Motion for Attorney Fees.

3. While my firm normally works on a contingency fee, our case management system does keep track of time. Our case management system confirms that we have recorded Total Billable Hours of 1,038 to date. Total Charges if this matter was billed out at our normal hourly rates would be \$290,469.50. My fees were calculated at \$375.00/hour throughout this

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Johnson, Myrna v. Fred Meyer (J-04-008 CV RRB) [23003].

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1 matter. My associates' fees were calculated at \$225.00/hour. Our paralegal fees were
2 calculated at \$125.00/hour.

3 4. I have a Contingency Fee Agreement with the Plaintiff. I have not billed her nor
4 charged her for my work and will only recover my "contingency fee" when we finally collect
5 from the Defendant the total judgment in this matter.

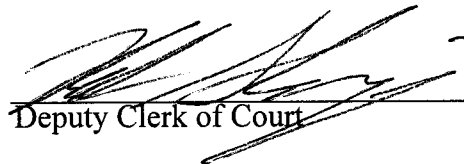
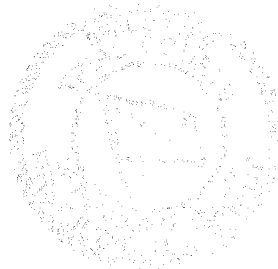
6 4. Before I became involved in this matter, Plaintiff was represented by Baxter,
7 Bruce and Sullivan, another Juneau law firm. They assisted Plaintiff in her Human Rights
8 Complaint and in the initial stages of this litigation. They have filed a lien in this matter
9 slightly in excess of \$100,000.00.

10 FURTHER YOUR AFFIANT SAYETH NAUGHT.



11
12 Mark Choate

13 SUBSCRIBED AND SWORN to before me this 11 day of September 20 08.


16 Deputy Clerk of Court

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28 *Johnson, Myrna v. Fred Meyer (J-04-008 CV RRB) [23003].*

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J-04-008 CV (RRB)